



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1001 2900

MAR 06 2003

RECEIVED

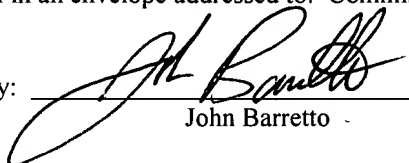
#8
137703

Applicants: Dang, et al.	Atty. Docket No.: GPT-02441
Serial No.: 09/976,283	Examiner: C. Azpuru
Filing Date: October 12, 2001	Art Unit: 1615
Title: <i>Compositions for Release of Radiosensitizers, and Methods of Making and Using the Same</i>	

Certificate of First Class Mailing

I hereby certify that the instant "*Response to Restriction Requirement*" is being deposited on the date set forth below with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

February 24, 2003
Date of Signature and Mail Deposit

By: 
John Barretto

Commissioner for Patents
Washington, DC 20231

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the outstanding Restriction Requirement of January 22, 2003, Applicants provisionally elect, with traverse, Group I, claims 1-53 and 60. However, it is respectfully submitted that examination of all claims simultaneously would place no undue burden on the Examiner. The Applicants respectfully point out that the examination of the claims of Group II, claims 54-58, and Group III, claim 59, necessarily entails a search of the subject matter of Group I, and therefore submits that the examination of Groups I and II together presents no significant burden over the examination of Group II alone.

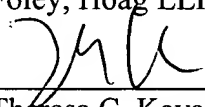
For a restriction requirement to be valid, the Examiner must establish that the search and examination of the entire application cannot be made without serious burden (M.P.E.P § 803). Accordingly, Applicants respectfully request examination of all claims simultaneously.

Further, the Applicants, with traverse, respectfully elect the polymer of formula VI, as required by 35 U.S.C. § 121. Applicants provisionally submit that claims 36-41, 43 and 44 read, at least in part, on the species elected.

The Applicants expressly reserve the right to prosecute species not elected herein in other patent applications claiming the benefit of the filing date of this application. Furthermore, the Applicants understand that upon allowance of a generic claim, they will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of any allowed generic claims.

Any questions raised by this submission may be directed to the undersigned at (617) 832-1000. The Commissioner is hereby authorized to charge any underpayments, or credit any overpayments, to our **Deposit Account No. 06-1448**.

Customer No. 29755
155 Seaport Boulevard
Boston, MA 02210
Tel: (617) 832-1000
Fax: (617) 832-7000
Date: February 24, 2003

Respectfully submitted,
Foley, Hoag LLP
By: 

Theresa C. Kavanaugh
Reg. No. 50,356